

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3, 5-7 and 9-17 are pending in the present application. By this reply, claims 1, 7, 11 and 13 have been amended.

35 U.S.C. § 103 Rejection

Claims 1-3, 5-7, 9-17 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Raghavan et al. et al. in view of Strolle et al. This rejection is respectfully traversed.

Amended independent claim 1 includes a combination of elements and has been amended to clarify that the reference signal is time-variant and is determined by the feed-back filter and by an original data detected by the detector. Amended independent claims 7, 11, and 13 include similar features in a varying scope.

These features are supported at least by Figs. 3 and 4, and pages 8 and 9 of the present specification. For example, the reference signal y_k is determined by the original data $x_{k-\tau}$ detected by the detector 330 and by the feed-back filter 320 which receives the original data $x_{k-\tau}$ from the detector 330. The reference signal y_k as well as the original data $x_{k-\tau}$ vary with time k , and thus are time-variant.

In contrast, the reference signal f_1 in Raghavan is a fixed value (see column 6, lines 1-30). Note that y_k in Raghavan is the signal input into the Branch Metric, while y_k in Applicants' invention is the reference signal. Further, the reference signal f_1 in Raghavan is not determined by the original data or the feed-back filter.

Further, with respect to amended independent claims 1 and 7, Raghavan does not store the added values outputted from the plurality of branch metric calculating units. Rather, Raghavan stores the comparison results of the metrics.

Accordingly, it is respectfully submitted independent claims 1, 7, 11 and 13 and each of the claims depending therefrom are allowable.

Finality of Outstanding Office Action

Applicants respectfully submit that the Finality of the outstanding Office Action is improper. The outstanding Office Action states that the Applicants' amendment necessitated the new grounds of rejection. However, the previous Office Action of October 5, 2006 stated that dependent claims 4-6 and 8-10 would be allowable if rewritten in independent form. Accordingly, Applicants amended independent claims 1, 7, 11 and 13 to include the indicated allowable subject matter. Therefore, the rejections in the outstanding Office Action could have been raised in the previous Office Action and thus the finality of the outstanding Office Action is improper in view of MPEP § 706.07(a).

CONCLUSION

For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and to provide an early issuance of a Notice of Allowance.

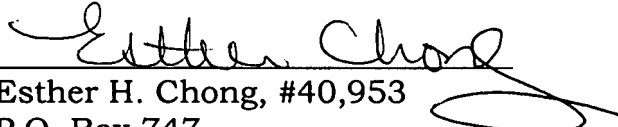
Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Jun S. Ha (Registration No. 58508) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Date: June 28, 2007

Respectfully submitted,

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